

// A regular meeting of the Council of the City of Lynchburg was held on the 14th day of March, 2006, at 7:30 P.M. in the Council Chamber, City Hall, Carl B. Hutcherson, Jr., President, presiding. Council Member Johnson gave the Invocation. The Pledge of Allegiance was led by the Police Officer in attendance. The following Members were present:

Present: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Absent: 0

// Mayor Hutcherson announced that it was time for anyone present to come forward and present a bid for the franchise to install, maintain and operate fiber optic lines and a fiber optic node/hub and related facilities at the Lynchburg Regional Airport. A representative from Mid-Atlantic Broadband Cooperative handed a bid to City Attorney Walter Erwin. Mayor Hutcherson stated that this matter is scheduled for review later on in the meeting.

// Copies of the minutes of the February 28 (two meetings) and March 7, 2006 meetings, having been previously furnished Council, reading was dispensed with, and on motion of Vice Mayor Foster, seconded by Council Member Helgeson, Council by the following recorded vote approved the minutes as presented:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Registrar, City Council Report #2 was considered. On motion of Vice Mayor Foster, seconded by Council Member Helgeson, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-06-023, as presented, appropriating \$14,637 for supplemental funding to the Registrar's Office for Recount and Special Election expenses:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Fire - General, City Council Report #3 was considered. On motion of Vice Mayor Foster, seconded by Council Member Helgeson, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-06-024, as presented, amending the FY 2006 City/Federal/State Aid Fund Budget and appropriating \$61,140, with \$30,570 reimbursement, to purchase four (4) Autopulse mechanical cardiopulmonary devices:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Community Planning – Community Development, a public hearing was held regarding the FY2006-2007 Community Development Block Grant (CDBG) and HOME Programs. Twenty-five (25) individuals spoke in support of the following projects: Diamond Hill Community Center Rehabilitation (City Parks and Recreation); College Hill Neighborhood School; The Gateway

(New Land Samaritan Inn); Bethune Nursery School Rehabilitation; Lynchburg Literacy Council; Camp Kum-Ba-Yah Scholarship Assistance (Camp Kum-Ba-Yah, Inc.); Building Assets Program (Habitat for Humanity); Graham Hall/Refurbish Windows and Doors (Virginia University); Jubilee Occupational Readiness Program; Sky is the Limit Workshop and Outreach Programs (Amazement Square, The Rightmare Children's Museum); YWCA Town Center Restoration (YWCA); Rush Homes of Central Virginia; Job Readiness Training (New Land Jobs); Emergency Fuel Assistance for the Elderly (Interfaith Outreach Association); PACE of the Blue Ridge; and International Community Service Center. Lynchburg Neighborhood Development Foundation (LNDF) Executive Director Laura Dupuy urged City Council to accept the collective and revised request from the City's housing community for distribution of HOME funds and to reconsider the CDBG proposals made by LNDF, especially those that seek to improve access to credit and provide services to the homeless. There was no one else present who wished to speak to this item, and the public hearing was closed. Mayor Hutcherson announced that a work session regarding the FY2006-2007 Community Development Block Grant (CDBG) and HOME Programs is scheduled for March 28.

// In the matter of Community Planning - Zoning, a public hearing was held regarding City Council Report #5 outlining the petition of LTD Properties, LLC, for a Conditional Use Permit at 548 & 550 Leesville Road to allow the construction of 35 townhouse units for sale in an R-3, Medium Density, Two-Family Residential District. City Planner Tom Martin provided a brief summary of the petition. Mr. Scott Beasley, Hurt & Proffitt, Inc., representing the petitioner, outlined the request and asked for approval. There was no one else present who wished to speak to this item. On motion of Council Member Seiffert, seconded by Council Member Helgeson, Council by the following recorded vote adopted Resolution #R-06-025, as presented, granting the Conditional Use Permit:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson

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Noes:

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// In the matter of Property, a public hearing was held regarding City Council Report #6 regarding the sale and conveyance of a 100 x 125 vacant parcel of City-owned property located at the corner of Buckner Drive and Mathews Street to John Bolton for \$4,000. City Manager Kimball Payne provided a brief summary of the request. Mr. John Bolton spoke in support of his request. There was no one else present who wished to speak to this item. On motion of Council Member Gillette, seconded by Vice Mayor Foster, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-06-026, as presented, approving the sale and conveyance of a 100 x 125 vacant parcel of City-owned property located at the corner of Buckner Drive and Mathews Street to John Bolton for \$4,000:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson

7

Noes:

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// In the matter of Finance - Bonds, a public hearing was held regarding the issuance of not to exceed Forty Million Seven Hundred Five Thousand (\$40,705,000) principal amount of General Obligation Public Improvement Bonds to finance the costs of various public improvement projects. City Manager Kimball Payne provided a brief summary of the request. There was no one else present who wished to speak to this item. On motion of Vice Mayor Foster, seconded by Council Member Dodson, Council by the following recorded vote adopted Resolution #R-06-027, as presented, authorizing the issuance of not to exceed Forty Million Seven Hundred Five Thousand (\$40,705,000) principal amount of General Obligation Public Improvement Bonds to finance the costs of various public improvement projects:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

On motion of Vice Mayor Foster, seconded by Council Member Johnson, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-06-028, as presented, amending the FY2006 General, Water, Sewer and Fleet Funds operating budgets and appropriating \$207,565 for costs associated with the bond issue:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Airport - General, City Council Report #8 regarding granting a franchise to install, maintain and operate Fiber Optic Lines and a Fiber Optic Node/Hub and related facilities at Lynchburg Regional Airport was considered. City Manager Kimball Payne provided a brief summary of the request. City Attorney Walter Erwin stated that the bid received earlier in the evening from Mid-Atlantic Broadband Cooperative was in order. On motion of Council Member Gillette, seconded by Council Member Johnson, Council by the following recorded vote adopted Ordinance #0-06-029, as presented, granting a franchise to Mid-Atlantic Broadband Cooperative to install, maintain and operate Fiber Optic Lines and a Fiber Optic Node/Hub and related facilities at Lynchburg Regional Airport:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// On motion of Council Member Johnson, seconded by Council Member Seiffert, Council by the following recorded vote elected to hold a closed meeting to consider appointments to Council-appointed Boards and Commissions pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// The meeting was re-opened to the public.

// Vice Mayor Foster made the following motion:

WHEREAS, the Council of the City of Lynchburg has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by City Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lynchburg certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by Council.

The Motion was seconded by Council Member Seiffert, and Council by the following recorded vote adopted the motion:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// The meeting was recessed at 9:30 P.M. to March 21, at 1:00 P.M., to conduct a work session regarding the FY2007 Budget.

Clerk of Council